

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kim DRALLE et al.

Attn: PCT Branch

Application No. New U.S. National Stage of PCT/DK2003/000561

Filed: February 23, 2005

Docket No.: 122847

For: A METHOD AND A SYSTEM FOR AUTOMATIC MEASUREMENT AND  
TRACKING OF LOGS, INDUSTRIAL WOOD AND BOARDS

**SUBMISSION OF THE ANNEXES TO THE  
INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is the annexes to the International Preliminary Examination  
Report (Form PCT/IPEA/409). The attached material replaces the claims.

Respectfully submitted,

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Date: February 23, 2005

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# PATENT COOPERATION TREATY

# PCT Rec'd PCT/PTO 23 FEB 2005

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference P200400483 WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DK 03/00561	International filing date (day/month/year) 27.08.2003	Priority date (day/month/year) 27.08.2002
International Patent Classification (IPC) or both national classification and IPC G01B11/02		
Applicant DRALLE APS et al.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
  - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

- This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  26.03.2004	Date of completion of this report  10.09.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Dighaye, J-L  Telephone No. +49 89 2399-2823



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/DK 03/00561**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

3-13 as originally filed

**Claims, Numbers**

1-16 received on 23.07.2004 with letter of 21.07.2004

**Drawings, Sheets**

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-16
	No: Claims	
Inventive step (IS)	Yes: Claims	1-16
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No.: PCT/DK03/00561

**To Section V**

**Preliminary remark:**

Claims presently on file greatly differ from the originally filed set, which significantly changes the relevance of the documents cited in the International Search Report (ISR). Such claims, however, appear to be fully based on the original disclosure. Claim 1 is principally based on para. [0001] of the "Field of invention" and on the "General section", for instance [0007], [0012] and [0014]. The features of the dependent claims are either explicitly disclosed or expressed in technical equivalents.

1. The following documents are cited:

D1: US-A-4 913 551  
D2: US-A-2002/024667  
D3: WO-A-99/23873  
D4: US-A-4 392 204

2. Claim 1 is directed to the tracking of objects, such as logs (claim 2), and in particular of a single log in a bundle of logs, from a known geographical location, where the log is imaged and identified, to a handling station where the logs are transported and where further imaging of the bundle of logs allows for retrieving each log.

This concept does not appear to be known or rendered obvious by the documents cited in the ISR:

- D1 is directed to the art of log scaling, i.e. measuring several characteristics of a log, see D1, col. 1, l. 60 seq.. The measurements by themselves are comparable with the presently disclosed ones, see col. 3, l. 37 seq., but they are performed only once, "at a point of time" (col. 3, l. 40). Although "all of the measurements can be verified at a later date" (col. 3, ll. 64-65), there is no definite hint at log identification before and after transportation;
- D2 discloses a method for scanning moving objects such as wood products, see

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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the abstract. As it is apparent from the "Field of the Invention", a single measurement is envisaged, there is no hint at possible subsequent measurements;

- D3 discloses a method for timber harvesting using a position determining device and a marking device, see the abstract. Logs can only be identified at a later stage once they have been marked. This teaches away from the present concept of identification after imaging, since D3 presents identification after marking as a suitable solution; and

- D4 discloses an even more primitive marking system, see the abstract.

3. All the other claims on file are dependent claims.